

Jail Overcrowding Task Force

Minutes

August 1, 2019

10:00 -11:00 a.m.

State House, 200 W. Washington Street, Room 319

Members Present:

Chief Justice Loretta H. Rush, Indiana Supreme Court, Chair
Rep. Gregory Steuerwald, Indiana House of Representatives (via conference call), Co-vice Chair
Rep. Ragen Hatcher, Indiana House of Representatives (via conference call)
Sen. Mike Gaskill, Indiana Senate, Co-vice Chair
Sen. J.D. Ford, Indiana Senate
Douglas Huntsinger, Executive Director Drug Treatment Prevention, Governor's Office
Julie Lanham, Indiana Department of Correction (proxy for Commissioner)
David Powell, Executive Director, Indiana Prosecuting Attorneys Council
Bernice Corley, Executive Director, Indiana Public Defender Council
Tracy A. Brown, Tippecanoe County Commissioner
Sheriff Brett Clark, Hendricks County, Indiana Sheriffs' Association

Others Present:

Hon. Steven David, Indiana Supreme Court
Hon. Christopher Goff, Indiana Supreme Court
Mary Kay Hudson, Executive Director, Indiana Office of Court Services
Michelle Goodman, Staff Attorney, Indiana Office of Court Services

Meeting Discussion:

Chief Justice Rush called the meeting to order and reviewed the task force's legislative charge. The task force received information from past reports on the jail population statewide from 2017 and 2018.

The task force then outlined topics for discussion regarding jail overcrowding and identified areas where additional information is necessary to assist the task force and local stakeholders with addressing jail overcrowding issues, including:

- Identify factors that cause individuals to go into jail
- Access to jail data to assess who is in the jails and the reason for the incarceration
- Bond schedules, inability to pay bond, unwillingness to post bond
- Keeping low level, non-violent defendants out of jail with alternative approaches (i.e. cite and release programs)
- Restorative justice approaches
- Case processing strategies (prosecutors/public defense/courts)
- Community supervision violation response strategies
- Treatment opportunities and barriers, including jail treatment
- Enhancing reentry support and resources (i.e. housing/employment)
- Resource allocation and utilization – full use of work release, examine how H.E.A. 1006 funds are allocated
- Prevention strategies

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- Local processes and procedures impacting use of jail beds to develop best practices
- Use of technology within jail – use video in place of transport for hearings, etc.
- Data collection – define necessary data elements, standardize method for collection with clear definitions
- Regional jail options

Informational presentations for taskforce:

- Dr. Brad Ray – Recovery Works evaluation
- Division of Mental Health and Addition– continuum of services; PEW survey results
- Appriss – current jail data available and limitations
- Information from local jails regarding access to detailed reports
- Trends based on court data – criminal/ordinance violations/infractions/failures to appear/Abstract of judgments
- Court case filing data

The task force discussed the requirement for regional meetings and logistics. Ms. Hudson reported to the task force that the Association of Counties offered meeting space in French Lick on September 30th during their annual conference. After discussion, the task force agreed to accept the offer for hosting one of the regional meetings.

In addition, the task force outlined logistical items for consideration in hosting these regional meetings, including meeting agendas, notices, format for public testimony, informational presentations, etc. Suggested locations include Marion County (Indianapolis) and Vigo County (Terre Haute).

The task force discussed the need for current jail data and the challenges associated with this data. Sheriff Clark volunteered to help identify individuals who can provide local data reports. The Indiana Sheriffs' Association will also be contacted for the status of any jail report updates.

The task force also received an update on the status of the requirements for a Request for Proposal to improve Indiana's victim notification system and discussed the opportunity to address data needs as a component of this project.

The task force will be contacted when the next meeting is scheduled.

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Minutes

August 23, 2019

1:00 pm – 2:30 pm

State House, 200 W. Washington Street, Room 319

Members Present:

Hon. Steven David, Indiana Supreme Court, proxy for Chief Justice Loretta H. Rush, Chair
Rep. Ragen Hatcher, Indiana House of Representatives (via conference call)
Sen. Mike Gaskill, Indiana Senate, Co-vice Chair
Sen. J.D. Ford, Indiana Senate
Douglas Huntsinger, Office of the Governor
Robert Carter, Commissioner, Indiana Department of Correction
David Powell, Executive Director, Indiana Prosecuting Attorneys Council
Bernice Corley, Executive Director, Indiana Public Defender Council
Tracy A. Brown, Tippecanoe County Commissioner
Sheriff Brett Clark, Hendricks County

Members Not Present:

Rep. Greg Steuerwald, Indiana House of Representative
Ralph Watson, Hamilton County Community Corrections
Superintendent Doug Carter, Indiana State Police

Others Present:

Hon. Christopher Goff, Indiana Supreme Court
Mary Kay Hudson, Executive Director, Indiana Office of Court Services
Michelle Goodman, Staff Attorney, Indiana Office of Court Services
Dr. Kristen Dauss, Indiana Department of Correction
Steve Luce, Indiana Sheriff's Association
Dave Wedding, Vanderburgh County Sheriff
Sergeant Brent Counts, Vanderburgh County Sheriff's Office
Julian Winborn, Indiana House Democratic Caucus
Chris Naylor, Indiana Prosecuting Attorneys Council

Meeting Discussion:

Justice David called the meeting to order. The task force reviewed the draft meeting minutes from August 1, 2019. Mr. Powell moved their approval and Sen. Gaskill seconded the motion. The motion passed unanimously.

The task force received an update on availability of Indiana jail data. Mr. Steve Luce, Executive Director, Indiana Sheriff's Association, reported his office is currently conducting the 2019 jail data survey and approximately one-third of the 91 jails have already replied. Mr. Luce will provide updates and a presentation of results when the survey is closed.

Sheriff Dave Wedding of Vanderburgh County reported on their local population trends and what categories are most impacting their local jail numbers. He also mentioned the local surrender program

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and emphasized the need for community services to help those outside of the jail to prevent them from committing new crimes or returning to jail.

Sheriff Brett Clark of Hendricks County provided the task force with sample reports from the local jail management system. He discussed some of the variation on coding statuses and other data points needing better definitions to allow more precise assessments of current population categories. He answered questions on local processes for releasing individuals and challenges associated with current practices. He emphasized that each county has variations but there will be common themes.

The task force discussed the opportunity to work on the victim notification RFP requirements and the availability for courts using the Odyssey case management system to opt into text notification reminders for court hearings.

Mr. Luce and Ms. Hudson provided additional information about the Appriss System and reported they will be meeting on September 4, 2019 to discuss what opportunities there are for improving current jail data reporting.

The task force reviewed the dates for regional meetings. September 30, 2019 is confirmed in French Lick from 1:00 p.m. – 4:00 p.m. Other proposed dates include October 30, 2019 and November 6, 2019 for central and northern locations. The task force discussed looking at alternative dates for November depending on the selected location. Additional locations of Madison County, Shipshewana at the Sheriffs Association Annual meeting, area Ivy Tech campuses, Marion County, and Hendricks County were suggested for consideration.

Next, the task force reviewed the proposed topics and list of presenters for regional meetings. The task force discussed having additional topics regarding: (1) medical services and issues, including detox services in addition to jail treatment; (2) parity of offense levels to see if adjustments need to be proposed; (3) current status of jail facilities and the need to shift toward more rehabilitative efforts similar to the Department of Correction facilities; (4) added local costs associated with pre-trial custody, which reduces the overall time and costs associated with someone serving at Department of Correction. It was also suggested task force members consider tour some local jails.

Regarding logistics for public testimony at the regional meetings and public comment, the task force requested a standard introduction providing a basic overview of the membership, purpose of the task force, and other foundational information (meeting expectations, procedures, time limits, written materials, etc.). Other items discussed included a protocol for the presentations (material deadline, areas of focus, time limits), methods to sign up in advance and day of regional meeting for public testimony, process for receiving written comments, and method to enhance general information sharing among regional locations.

The task force reviewed the proposal regarding the final report due December 1 and recommended the members consider a structure for organizing and prioritizing the final recommendations.

Ms. Hudson provided the task force with information on the October 4, 2019 Pretrial Summit and information on registering for this training opportunity.

The next task force meeting is September 30, 2019, 1:00 p.m. – 4:00 p.m. at the French Lick Resort.